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UNIVERSITY OF CALIFORNIA

MEMORANDUM

November 5, 1991

To: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

From: MICHAEL F. BROWN, City Manager

Subject: UPDATE ON RECOVERY ACTIVITIES FOR THE TUNNEL FIRE

SUMMARY

Background: On October 20, 1991 the Caldecott Tunnel Fire destroyed 62 single family homes in Berkeley, damaged 6 houses, and destroyed 2 garages and one duplex. (See Attachment A for a map of the area and structures.) The total damage to the City's Public Infrastructure is estimated today at \$2,969,900. The damage to the private buildings, excluding their contents, is estimated at \$53,900,000. We have spent approximately \$249,000 in City Personnel Costs through the end of last week, for a total Berkeley cost of the fire at \$57,109,000. This does not include any bills for mutual aid. In addition, we estimate between \$250,000 to \$350,000 in revenue lost to the City from property taxes, sales tax revenues in the Elmwood Commercial Area, utility user's tax and so on.

City's Recovery Plan: We have set up a six part recovery plan to respond to this tragedy:

- Erosion Control and Clean Up of Public Access
- Removal of Imminent Hazards
- Clean Up of Private Property
- Rebuilding the Housing
- Social Service Support
- Future Prevention & Mitigation

At this point we have completed virtually all of the erosion control work, and are ready to ask you for action regarding the imminent hazard area tonight as a separate action on the Consent Calendar. We are working with the insurance companies, the State and Federal agencies to develop detailed action plan for cleaning up the affected area in Berkeley, and we are well underway in developing a City response for rebuilding. Social service support has been on-going, and our new Director of Emergency Services will be on board on November 14 to coordinate the City's work on our fire safety and hazard mitigation plan.

The remainder of this report outlines the City's actions in each of these six areas in our recovery plan.

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I. EROSION CONTROL AND CLEAN UP OF PUBLIC ACCESS

The City's Department of Public Works began work immediately after the fire was under control to protect the fire area from erosion and landslides. Berkeley's burned area lies at the foot of one of the steepest areas in the Oakland/Berkeley Hills, and one where the likelihood for slides during a heavy rainfall would be the highest. In addition, they mobilized to clean up the public Right of Way.

1. Stabilization of Hillsides: The City mobilized a total of 140 Public Works crew, 250 U. S. Coast Guard crew, 20 Homeless volunteers, along with consultants from the University of California, the Army Corps of Engineers, and Alameda County Flood Control to stabilize the hillsides from danger of hillsides. Silt fences, sandbags, and erosion matting were installed on the hillsides during the past two weeks, followed by the hydroseeding of 50 acres with a mixture of native grasses.

Over 25,000 linear feet of silt fencing was installed along the steep hillsides. The silt fences are composed of a cloth like plastic fabric reinforced by a netting material. They let the water flow though but stop solid debris and dirt particples. The silt fences also act to reduce the speed of the water. In addition, 10,000 sand bags were filled and placed to replace burned or damaged retaining walls; to keep fire debris off the streets and sidewalks, and to shore up hillsides that might begin to slide in a heavy downpour. Finally, erosion matting and 10,000 square feet of visquine were used on the hillsides. Erosion matting is "stapled" to the gound and works to keep steep areas form sliding or eroding. Visquine, which is plastic matting, was also used to stabilize embankments.

2. Clean Up of Vicente Creek: The stream bed which runs through the area was cleaned and several garbage dams were installed. These measures will help to insure the continued flow of water in the creek in the event of a heavy rain, rather than to spill over the bed. A silt pond was built, using sand bags in an existing cement culvert at the Vicente curve.
3. Debris Removal and Clean Up of Public Right of Way: A third task in this area has been to move vehicles which were on the streets, to sweep and and shovel debris from the streets and sidewalks, to clean the storm drains, and to place debris boxes, garbage and recycling containers. In addition, plans are underway to cap off the lateral sewer connections to prevent debris from getting into the sanitary sewer system.

See Attachments A and B for more detailed statistics on the City's erosion control efforts.

II. REMOVAL OF IMMINENT HAZARDS

The second step towards recovery after the initial erosion controls were put into place was to insure that burned properties were free from imminent hazards. To this end, the Legal Department has been working closely with the Fire Department, the Public Works Department and the Building Department to survey and assess the remaining structures. This team has visually inspected the fire area and identified lot addresses, determined properties under Berkeley's jurisdiction, and prepared official lists and maps of damaged and destroyed properties. Hazards have been identified on private property, and affected sites have been posted as unsafe to enter.

City staff have determined priority for action to be removed of imminent hazards, that is, chimneys and other items that may fall, slide, roll or tumble onto other properties and potentially cause injuries. All hazards needing removal have been listed and photographed, and individual notification letters to owners have been prepared and are ready to send. An urgency ordinance which makes our authority to take action against imminent hazards more explicit has been prepared and action is requested on this tonight in the item on the Consent Calendar.

This ordinance provides for the City to remove the hazards at the end of a two week period, unless the owner can provide a structural engineer's certification that there is no hazard. If the Council adopts the consent calendar item tonight, the following schedule will be followed:

- Tuesday, November 5, 1991--Adoption of ordinance and first indication to the press of timeline on removal of imminent hazards.
- Wednesday, November 6, 1991---Mailing out of individualized letter which advise owners of imminent hazards and that we will demolish unless we receive a structural engineer's certification that there is no hazards or any other objection by 5:00 pm Thursday, November 14, 1991.
- Wednesday, November 6, 1991 to Thursday November 14, 1991--individual contact with homeowners to explain what we are doing.
- Friday, November 15, 1991 -- Proceed with demolition of imminent hazards. Demolition contractor will be accompanied by Public Works staff member and a housing inspector.

III. CLEAN UP OF PRIVATE PROPERTY

The third step in our recovery plan is to develop a coordinated plan for the removal of fire debris from the private property. A coordinated response is necessary because of the problems with access of construction vehicles to the burned area, and problems that might arise between properties if this clean up process were to occur on an individual basis. In addition, the City is concerned about being able to control the disposal of the material, and to impose uniform standards for dealing with hazardous materials and other items. The clean up is envisioned to include the removal of debris, dead and/or dangerous trees and further erosion control as may be necessary. This will not include the removal of foundations, nor native trees and shrubbery which has the potential of growing back. The clean up would also provide for the homeowners to preserve garden statuary and other items of value.

The City has been working closely with the City of Oakland, the federal and state disaster agencies, and the insurance companies to determine the best way to coordinate and finance the clean up effort on private properties. At this point the insurance companies are being most positive in supporting a coordinated effort. In addition, we have received preliminary indications that federal and state agencies will pay for part of this clean up effort because it will prevent further disasters such as landslides if there is a heavy rainfall this winter.

The City is planning to hire a technical engineering firm to coordinate the clean up efforts, and to prepare the scope of services. Firms have been contacted for bidding purposes. Issues that need to be addressed in the clean up effort are:

- Disposal of the Construction Debris
- Disposal of Hazardous Debris, including asbestos and other items
- Permits from appropriate Regional Agencies such as the Regional Water Quality Control Board, the Integrated Waste Management Agency and so on.

In addition, discussions have begun with the City of Oakland to coordinate the clean up effort in the area of Oakland where construction vehicle access is through Berkeley. We anticipate coming back to the Council with more detailed plans in this area.

IV. REBUILDING THE HOUSING

The fourth element in our recovery plan is the effort to insure that the housing is rebuilt as fast as possible in a safe and environmental manner. There are three portions of this which should be noted: Community Input Process; Revision to Zoning Ordinance; Concurrent Processing of Applications.

Community Input: A community meeting was held last week to begin to discuss the tradeoffs and options for processing permits for the Berkeley residents affected by the fire. This was necessary because under Berkeley's R-1 Zoning Ordinance, no new construction can be built in the affected area without a public hearing and an appeals process, which frequently can take 6 months to a year. Therefore, to permit rebuilding the neighborhood as it was originally designed in an expeditious fashion would require the adoption by Council of an Urgency Ordinance to change the notice and hearing requirements for those who wish to build from the pre-fire design.

At the October 28, Community meeting, five different processing and zoning options were presented. (See Attachment D.) These options ranged from using the Zoning Permit only, where staff would approve the permit if the application met adopted standards to a permit where design review and staff conditions could be imposed.

Based on preliminary feedback from that meeting, staff developed a preferred option which is being discussed at the neighborhood level in a series of meetings. The Lower Vicente neighborhood group met last night, while the upper Vicente and Alvarado groups will meet this Thursday. Because of the limited number of damaged homes, the El Camino residents have been invited to participate with other groups.

Revisions to Zoning Ordinance: Expedited Review Process with Neighborhood Design Review: The general feedback from the Monday community meeting was that displaced residents should be allowed to rebuild what they had quickly, including non conforming structures. There was interest in differentiating between existing owners and new ones. A willingness to impose restrictions on building materials and landscape materials was seen. There was interest in undergrounding utilities, and concern about the seismic restrictions, since the area is located within the Alquist Priolo Special Studies Zone. (See Attachment E: a map of the Alquist Priolo zone.)

Based on the input from the citizens, a Preferred Option was generated for continued review in the small groups. This option provides for three major changes from the existing zoning ordinance for an application which sought either a) to rebuild the existing structure or b) to rebuild against the existing City's Zoning standards for the R-1 neighborhoods. (See Attachment F for a comparison of key provisions of the Preferred Option, and the Existing Zoning Ordinance for that neighborhood.)

1. **Expedited Staff Review:** The option for changing the City's Zoning ordinance for the affected properties which is currently being reviewed by the community groups allows the Zoning Officer to issue a Zoning Permit (which must be issued if the application meets the requirements) or an Administrative Use Permit (which allows the staff to place conditions on the plans).
2. **Neighborhood Design Review:** Instead of the permit going to the Zoning Adjustment Board for a hearing, a special committee including neighborhood residents would review the application for design considerations within 30 days of a complete application being submitted. There would be a one step appeal process to the Council or a special subcommittee. There was strong neighborhood support for this provision.
3. **New Safety Standards:** The zoning ordinance for the affected structures would be modified to include more stringent standards for building materials, set backs, off site parking standards, and landscape materials.

It should be noted that this proposal is currently being reviewed by the affected residents, and is likely to be modified as it goes through this process. Barring substantial disagreement about the specific provisions, we anticipate returning to the Council on November 19 or November 26 with the Urgency Ordinance incorporating these changes.

Concurrent Application Processing: Once the Ordinance incorporating the necessary changes to the Zoning Ordinance has been approved by the City Council, applications can be accepted. They will be processed concurrently by the Zoning and Building Departments at a one stop location. This staff would take the lead on seeing that appropriate reviews from the Fire Department and the Engineering Department occur. If the Neighborhood Design Review provision passes, this process would begin at the same time. It is anticipated that the plans can complete this process within 30 days. If there is an appeal, this might add another 2 to 3 weeks to the process.

We anticipate hiring a Project Manager to expedite the process. Work has begun on a scope of services for the technical planning and building support that will be needed throughout the application review process.

V. SOCIAL SERVICE SUPPORT

The fifth element of the City's recovery plan is the provision of social services to those in need. Social service support for those affected by the Fire has been coordinated by our Health and Human Services Department. They have done the following:

- Mental Health implemented a crisis intervention program which included setting up a 24 hour crisis telephone service at the adult outpatient clinice.
- The Mobile Crisis team and Mental Health Administrative staff organized on-site crisis intervention and support counseling at the Willard School Evacuation Center.
- Mental Health staff set up and outreach consultation and tracking program which included the organization of three community support groups.
- HHS staff secured a mobile rescue operations van for field site as an information dissemination and counseling center to replace the Police Mobile Substation.
- Established a case management system for those affected by the fire, which includes compiling a comprehensive list of those affected.

In addition to these efforts, the City's Finance Department has taken steps to establish criteria for disbursing the funds donated to the City for those affected by the Fire.

VI. FIRE SAFETY AND HAZARD MITIGATION PLAN



The sixth element of the City's Recover Plan concerns establishing plans and mitigation to prevent this tragedy from occuring again.

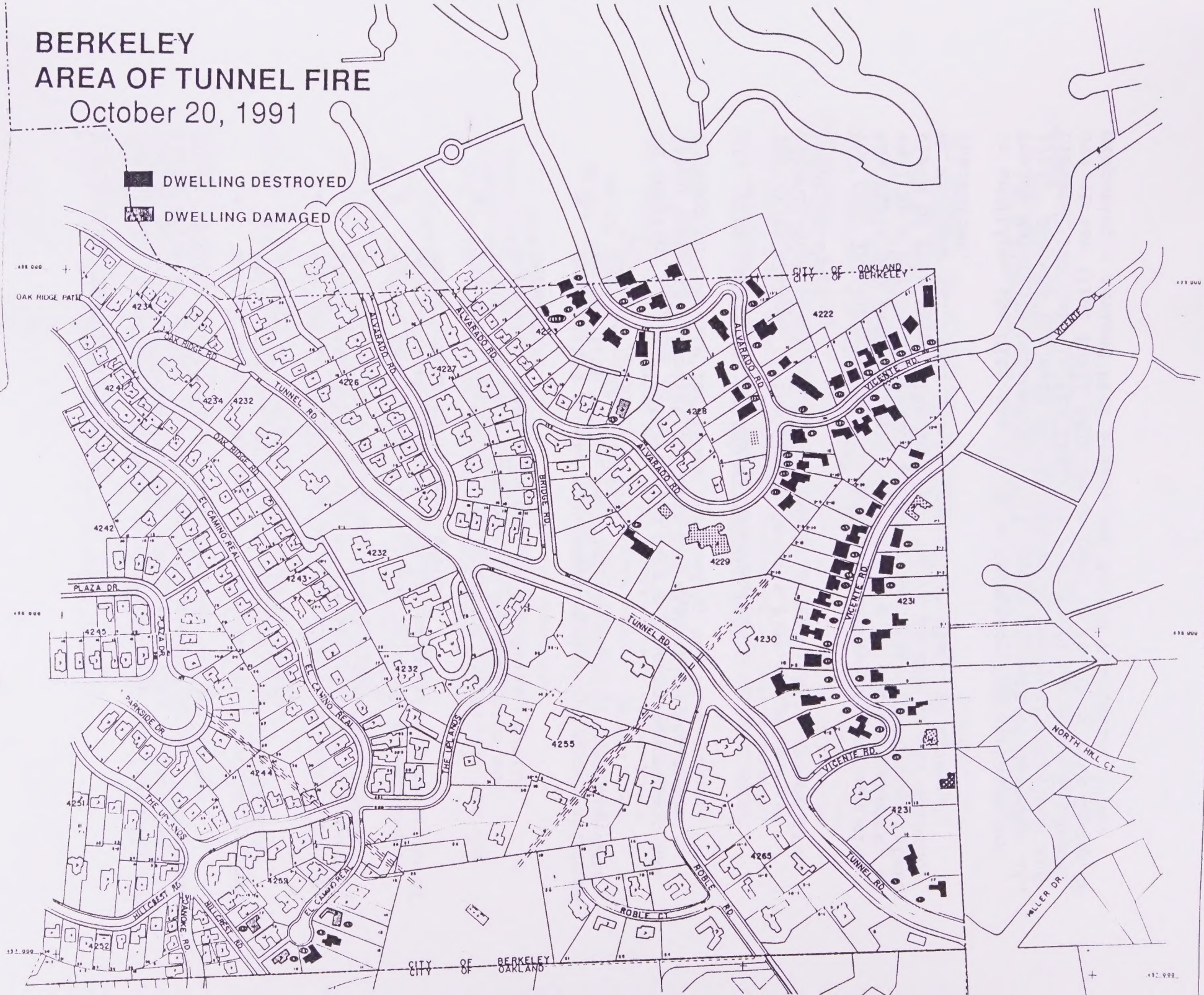
The City is currently participating in a three day effort with the State and federal agencies to develop an incident report, as well as a hazard mitigation plan for the State to prevent future fires of this type. The incident report is due to the Governor on November 14, 1991; and the mitigation plan 180 days thereafter.

In addition, the City has hired an Emergency Preparedness and Toxics Materials Officer who will report to work on November 14, 1991. She was the head of the Office of Emergency Services and Disaster Recovery in the State of Florida prior to coming here. One of her first tasks will be to head up the City Task Group on preparing a revised Fire Safety and Hazard Mitigation Plan.

BERKELEY AREA OF TUNNEL FIRE

October 20, 1991

 DWELLING DESTROYED
 DWELLING DAMAGED



November 5, 1991

TUNNEL FIRE FACT SHEET

DEPARTMENT OF PUBLIC WORKS - RESPONSE AS OF MONDAY, NOVEMBER 4, 1991.

List of damage to public structures: (narrative with stats)

Roads:

Vicente
Alvarado Rd.
Glenview
Robles
Sunset Trail
El Camino

PHASE I- EROSION CONTROL

ACCOMPLISHMENTS:

Public Works crews utilized:

Administration.....	13
Engineering.....	30
Streets and Sanitation.....	35
Parks Marina Forestry.....	32
Solid Waste.....	12
Equipment Maintenance.....	6
Facilities Maintenance.....	12
Grand Total.....	140

Volunteers utilized:

United States Coast Guard.....	250
Homeless Volunteers.....	20

Consultants utilized:

Technical consultants
- Army corps of Engineers
- Alameda County Flood Control
- University of California, Berkeley

Contractors :

- Darcy and Hardy, General Contractors
- Bauman Landscaping
- East Bay Conservation Corps

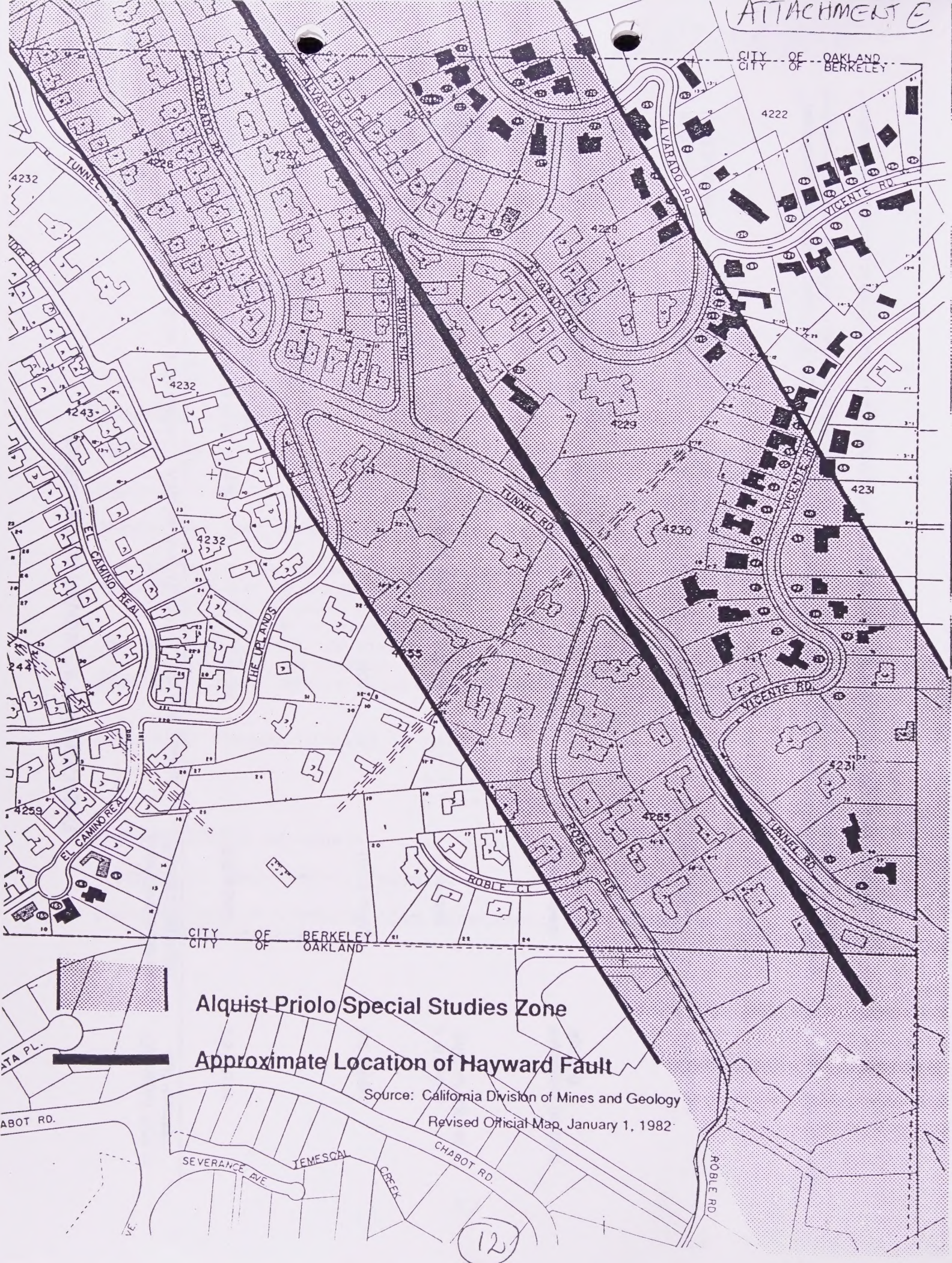
ATTACHMENT D

OPTIONS FOR REVIEW OF APPLICATIONS

<i>Permit Option</i>	<i>Standards to be applied</i>	<i>Neighborhood Input</i>	<i>Design Review</i>	<i>Lead Time to Develop Process/Standards*</i>	<i>Estimated Time to Get Permits**</i>
1. Zoning Permit	Existing Zoning R-1(H) Uniform Building Code 1988 (Option: Rebuild with previous non- conforming features)	None	None	2-6 weeks	2-3 weeks
2. Zoning Permit with new Zoning/ Design Standards	R-1(H), UBC 1988 New Uniform Zoning/ Design Standards	None	None	10-12 weeks	2-3 weeks
3. Zoning Permit with Design Review	R-1 (H), UBC 1988	Yes, on design only	Yes	6-8 weeks	6-8 weeks (without appeal)
4. Administrative Use Permit (AUP)	R-1 (H), UBC 1988 with or without New Uniform Zoning/Design Standards and Revised Zoning Standards	Yes, on any zoning issue; notice and appeal rights.	Optional	10-12 weeks	6-8 weeks (without appeal)
5. AUP with Design Review	R-1(H), UBC 1988 possible Revised Zoning Standards	Yes, on any zoning or design review issue; notice and appeal rights.	Yes	6-8 weeks	8-10 weeks

*These times are estimates only. Actual times would depend on the specific nature of the process/standards to be developed. There would likely be some overlap between the lead time to develop the process/standards and the time when owners are doing pre-design work.

** Includes time required to obtain both Zoning Approval and Building Permit. Estimate assumes Plans are complete.



Alquist Priolo Special Studies Zone

Approximate Location of Hayward Fault

Source: California Division of Mines and Geology
Revised Official Map, January 1, 1982

COMPARISON OF EXISTING AND PROPOSED ALTERNATE ZONING STANDARDS AND PROCEDURES FOR FIRE RECONSTRUCTION

Revised 11/5/91

	EXISTING	PROPOSED
PERMITS	Use Permit approved by Zoning Adjustments Board	Zoning Permit or Administrative Use Permit (AUP)
STANDARDS		
<i>Coverage</i>	40%	Previous coverage (greater with AUP)
<i>Height</i>	28 feet (35 with Use Permit)	Previous height (higher with AUP)
<i>Side Setback</i>	4 feet (less with Use Permit)	5 feet minimum or 1-hour exterior wall (less with AUP)
<i>Front/Rear Setback</i>	20 feet	Previous setbacks (less with AUP)
<i>Parking</i>	1 individually accessible	1 individually accessible for 2,000 sq. ft., 1 tandem for each additional 1,000 sq. ft.
<i>Additional Floor Area</i>	500 sq. ft. additions with AUP	Up to 500 sq. ft. over previous floor area (500 sq. ft. additional with AUP)
<i>Second Units*</i>	Maximum 640 sq. ft., 1 additional parking space, entrance on side or rear; Use Permit approved by Board	Previous legally established units allowed to be rebuilt (others with AUP)
<i>Grading</i>	Environmental Initial Study for 50+ cubic yards on slope exceeding 10%	AUP for 50+ cubic yards on slope exceeding 10%
DESIGN REVIEW	None in residential districts	Design Review by special committee including neighborhood residents within 30 days of date complete application is received with one-step appeal to Council or Special Subcommittee
ADDITIONAL REQUIREMENTS		
<i>Seismic Study</i>	All structures over 2 stories in Special Studies Zone	Case-by-case as needed for structures over 2 stories based on area-wide City-sponsored Seismic Study
<i>Property Survey</i>	Case-by-case basis with non-conforming setbacks	Corner staking by property owners based on City recorded survey in right-of-way
<i>Construction Materials</i>	1988 UBC	Fire-retardant roof and walls
<i>Landscaping Requirements</i>	None in residential districts	Remove Eucalyptus and Monterey Pine and replace with drought-tolerant and fire-resistant species

* Accessory units as defined by Section 5.1 (f) of the Zoning Ordinance must be subsidiary to main unit and may not contain more than 640 sq. ft. or 25% of its gross floor area

U.C. BERKELEY LIBRARIES



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